#### REMARKS/ARGUMENTS

Claims 1-8, 10, 12-19, 21 and 23 are pending and are under examination. Claims 3, 4, and 15 are herein canceled without prejudice or disclaimer. Claims 28-35 are newly presented. Claims 1, 2, 5-8, 10, 12-14, 16-19, 21 and 23 are to be amended to more particularly claim compounds wherein A and A<sup>1</sup> are adamantyl. Support for this subject matter is found in *inter alia* previous versions of the claims and on pages 10, line 21 to page 13, line 30. In view of the above, Applicants believe the amendments to the claims add no new matter and respectfully request their entry. After entry of these amendments, claims 1, 2, 5-8, 10, 12-14, 16-19, 21, 23, and 28-35 will be pending.

Claims 1, 2, 13, 16 and 17 stand finally rejected under 35 U.S.C § 102(b) as alleged anticipated by Abramovitch et al. (Chem. Abstract 95: 18016, "Abramovitch et al.").

Claims 1-3, 5-6, 13, 14, 16, and 17 stand finally rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of Krumkalns et al. (U.S. Patent No. 6,090,853, "Krumkalns et al.").

Claims 4, 7, 8, 10, 12, 15, 18, 19, 21, and 23 stand objected to for allegedly being dependent upon a rejected base claim.

Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicants' remarks are presented in the order in which the corresponding issues were raised in the Office Action.

### I. REJECTION UNDER 35 U.S.C § 102(b)

Claims 1, 2, 13, 16 and 17 stand finally rejected under 35 U.S.C § 102(b) as alleged anticipated by Abramovitch et al. (Chem. Abstract 95: 18016, "Abramovitch et al."). The Examiner alleges that Abramovitch et al. teach the compound having CAS Registry No. 79249-69-7 upon which the claims of the present invention read. Without acquiescing to the propriety of the rejection, and in view of the amendment to the claims, Applicants respectfully request reconsideration.

Applicants have amended claims 1, 7, 13, and 18 to set forth particular A,  $A^1$ ,  $R^1$ ,  $R^{11}$ ,  $R^2$  and  $R^{12}$  groups of the present invention. Claim 1 now recites that A is adamantyl;  $R^1$  is a

Appl. No. 09/479,315 Amdt. dated May 24, 2004 Reply to Office Action of February 24, 2004

member selected from the group consisting of heteroaryl and heteroaryl( $C_1$ - $C_8$ )alkyl; and  $R^2$  is heteroaryl when  $R^1$  is heteroaryl and is heteroaryl( $C_1$ - $C_8$ )alkyl when  $R^1$  is heteroaryl( $C_1$ - $C_8$ )alkyl.

Claim 7 now recites that A is adamantyl,  $R^1$  is selected from the group consisting of 1-(furan-2-yl)ethyl, 1-(pyridin-2-yl)ethyl, 1-(furan-2-yl)-2-propyl, 1-(2-pyridyl)-2-propyl, 1-(furanyl)isobutyl, 1-(3-pyridyl)isobutyl, 1-(pyridin-4-yl)ethyl, 1-(pyridin-4-yl)isobutyl, 1-(2-furanyl)-3-butenyl, and 1-(3-furanyl)-3-butenyl and  $R^2$  is selected from the group consisting of heteroaryl( $C_1$ - $C_8$ )alkyl and heteroaryl.

Claim 13 now recites that  $A^1$  is adamantyl;  $R^{11}$  is a member selected from the group consisting of heteroaryl and heteroaryl( $C_1$ - $C_8$ )alkyl; and  $R^{12}$  is heteroaryl when  $R^{11}$  is heteroaryl( $C_1$ - $C_8$ )alkyl when  $R^{11}$  is heteroaryl( $C_1$ - $C_8$ )alkyl.

Claim 18 now recites that  $A^1$  is adamantyl,  $R^{11}$  is selected from the group consisting of 1-(furan-2-yl)ethyl, 1-(pyridin-2-yl)ethyl, 1-(furan-2-yl)-2-propyl, 1-(2-pyridyl)-2-propyl, 1-(furanyl)isobutyl, 1-(3-pyridyl)isobutyl, 1-(pyridin-4-yl)ethyl, 1-(pyridin-4-yl)isobutyl, 1-(2-furanyl)-3-butenyl, and 1-(3-furanyl)-3-butenyl and  $R^{12}$  is selected from the group consisting of heteroaryl( $C_1$ - $C_8$ )alkyl and heteroaryl.

In contrast, Abramovitch et al. disclose on pages 561-2 of J.C.S. Chem. Comm. 561 (1981) (which is the article abstracted in the Examiner's citation), the compound having formula (I) below:

wherein R is H, Me, or Ph.

In view of the amendments to claims 1, 7, 13, and 18, Applicants submit that Abramovitch et al. *fail to disclose* any compounds in which the A or A<sup>1</sup> group is adamantyl as set forth in amended claims. Accordingly, Applicants submit that the Abramovitch et al. reference fails to anticipate the present invention and respectfully request that this rejection be withdrawn.

Appl. No. 09/479,315 Amdt. dated May 24, 2004 Reply to Office Action of February 24, 2004

# II. REJECTION UNDER 35 U.S.C. § 103(a)

Claims 1-3, 5-6, 13, 14, 16, and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly obvious in view of Krumkalns et al. (U.S. Patent No. 6,090,853, "Krumkalns"). The Examiner alleges that Krumkalns et al. teach a generic group of N, N-disubstituted carboxamide derivatives that embrace Applicants' instantly claimed compounds. The Examiner points to the compounds having formula II below:

wherein:

R and  $R^2$  independently are 3-pyridyl, 4-pyridyl,  $C_4$ - $C_{10}$  alkyl,  $C_2$ - $C_{10}$  alkenyl,  $C_3$ - $C_8$  cycloalkyl,  $C_1$ - $C_4$  alkyl substituted  $C_3$ - $C_8$  cycloalkyl, 3,4-(methylenedioxy)phenyl or substituted phenyl; provided that at least one of R and  $R^2$  is 3-pyridyl or 4-pyridyl;

m and y independently are 0 or 1;

 $R^1$  is H or  $C_1$  - $C_4$  alkyl;

X is O or S:

 $R^3$  is hydrogen,  $C_1$ - $C_{10}$  alkyl,  $C_1$ - $C_{10}$  haloalkyl,  $C_1$ - $C_{10}$  alkoxy,  $C_1$ - $C_{10}$  haloalkoxy,  $C_3$ - $C_8$ -cycloalkyl,  $C_1$ - $C_4$  alkylene-Z- $R^4$ , NH(CO)<sub>m</sub> $R^4$ , phenyl-(X)<sub>m</sub>- or substituted phenyl-(X)<sub>m</sub>-; wherein Z is O, S, CO or a direct link;  $R^4$  is  $C_1$ - $C_{10}$  alkyl,  $C_1$ - $C_{10}$  alkoxy,  $C_2$ - $C_{10}$  alkenyl,  $C_3$ - $C_8$  cycloalkyl,  $C_1$ - $C_4$  haloalkyl, phenyl, or substituted phenyl; with the proviso that when  $R^3$  is -NH-phenyl or -NH-substituted phenyl,  $R^2$  is other than a 4 carbon alkyl chain.

(Col. 1, lines 31-64)

Applicants note that Krumkalns et al. at Col. 2 lines 7 to 18 define C<sub>3</sub>-C<sub>8</sub> cycloalkyl as representing "saturated monocyclic cycloalkyl groups such as cyclopropyl, cyclobutyl, cyclopentyl, cyclohexyl, cycloheptyl, and cyclooctyl".

**PATENT** 

Appl. No. 09/479,315

Amdt. dated May 24, 2004

Reply to Office Action of February 24, 2004

Applicants have amended claims 1, 7, 13, and 18, which render the premise for the rejection of these claims moot. In contrast to Krumkalns et al., Applicants disclose and claim compounds having an adamantyl substituent on the amide carbonyl.

Krumkalns et al. simply does not teach or suggest any compounds in which the A or A<sup>1</sup> group can be adamantyl as set forth by Applicants. Applicants submit that the limited teaching of Krumkalns et al. would also fail to motivate one skilled in the art to prepare any compounds other than ones in which R<sup>3</sup> is a monocyclic cycloalkyl group. In the absence of any direction in Krumkalns et al., Applicants submit that Krumkalns et al. does not teach or suggest the claimed features of the present invention and respectfully request that the present rejection be withdrawn.

### III. OBJECTION FOR BEING DEPENDENT UPON A REJECTED BASE CLAIM

Applicants believe all base claims now pending in this Application are in condition for allowance. In view of the above, the Applicants respectfully request the above objection be reconsidered and withdrawn.

## **CONCLUSION**

The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5015.

Respectfully submitted,

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